

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
EASTERN DIVISION

FILED  
04 JUL 15 PM 3:14  
U.S. DISTRICT COURT  
N.D. OF ALABAMA

KEVIN WHITSON,

Plaintiff,

vs.

WERNER CO.,

Defendant.

CIVIL ACTION NO. 03-AR-2418-E

**ENTERED**

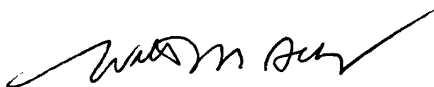
*KOP* JUL 15 2004

MEMORANDUM OF DECISION

On June 2, 2004, the plaintiff's attorney was allowed to withdraw. On that same day, an order was entered, in which it was stated that the plaintiff is now a pro se plaintiff. In that order, the plaintiff was informed that, if he intended to oppose the defendant's motion to dismiss, he must file a detailed response to that motion within ten days. The court has heard nothing from the plaintiff. The court deems this lack of communication a desire not to proceed with this action or to oppose the defendant's motion.

Wherefore, the defendant's motion to dismiss is due to be granted. An appropriate order will be entered.

DONE this 15<sup>th</sup> day of July, 2004.



William M. Acker, Jr.  
Senior United States District Judge

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